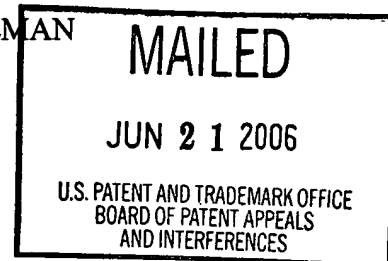


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: ANDREAS N. DORSEL, KYLE J. SCHLEIFER,
ELECIA C. WHITE, CHARLES S. LADD and DEBRA A. SILLMAN

Application No. 10/036,999



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on May 25, 2006. A review of the application has revealed that the application is not ready for review and consideration. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

EXAMINER'S ANSWER

On February 10, 2006, an Examiner's Answer was mailed. A review of the Examiner's Answer reveals that it is not in compliance with the Manual of Patent Examining

Application No. 10/036,999

Procedure (MPEP) § 1207.03, which states:

(8) Evidence Relied Upon

A listing of evidence relied on (e.g., patents, publications, admitted prior art), and in the case of non-patent references, the relevant page or pages.

In the "Evidence Relied Upon" section of the Examiner Answer (section 8), the Examiner states: "No evidence is relied upon by the examiner in the rejection of the claims on appeal."

Correction of the record is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- 1) vacate the Examiner's Answer mailed March 2, 2006;
- 2) issue a revised Examiner's Answer to include all required headings as set forth under 37 CFR § 41.37, and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



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Application No. 10/036,999

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